

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

MICHAEL RAY REED,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 4:06CV0018 AGF
	)	
LEAR CORPORATION,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

Plaintiff has filed with this Court a pro se complaint under the Family and Medical Leave Act, 29 U.S.C. § 2617(c)(2). Plaintiff was granted leave to file the complaint in forma pauperis. Before the Court is Plaintiff's motion for appointment of counsel.

There is no constitutional right for an indigent plaintiff to have counsel appointed in a civil case, although a district court has discretion to appoint an attorney to handle such a case when necessary. Phillips v. Jasper County Jail, \_\_\_ F.3d \_\_\_, 2006 WL 327975, at \*2 (8th Cir. Feb. 14, 2006); In re Lane, 801 F.2d 1040, 1043-44 (8th Cir. 1986). Among the factors a court should consider in making this determination are the factual complexity of the case; the ability of the plaintiff to investigate the facts and present his claim; and the complexity of the legal arguments. Phillips, 2006 WL 327975, at \*2.

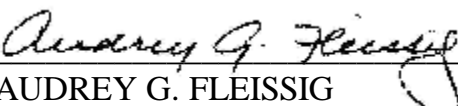
The Eighth Circuit has identified three additional factors relevant to the appointment of counsel in employment discrimination cases, which the Court believes are

applicable here: “(1) the plaintiff’s financial resources, (2) the plaintiff’s efforts to secure counsel, and (3) the merits of the discrimination claim.” Slaughter v. City of Maplewood, 731 F.2d 587, 590 (8th Cir. 1984).

Upon review of the file, the Court finds that this dispute is straightforward, and the legal issues are not complex. Thus, the Court finds that appointment of counsel is unnecessary at this time. Should Plaintiff seek the appointment of counsel at a later stage in the proceedings, he will be required to provide the Court with a sworn statement itemizing what efforts he has made to obtain legal counsel, providing the names of attorneys with whom he has discussed representation and the dates and results of such discussions.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff’s motion for appointment of counsel is **DENIED** without prejudice. [Doc. #3]

  
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AUDREY G. FLEISSIG  
UNITED STATES MAGISTRATE JUDGE

Dated this 22nd day of February, 2006.